

**2003**

**STATE OF NEBRASKA**

**STATUTES RELATING TO PODIATRY**

**NEBRASKA HEALTH AND HUMAN SERVICES SYSTEM**



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## STATUTES PERTAINING TO THE PRACTICE OF PODIATRY

**71-173. Terms, defined.** For purposes of the Uniform Licensing Law:

(1) The following persons shall be deemed to be practicing podiatry: Persons who publicly profess to be podiatrists or who publicly profess to assume the duties incident to the practice of podiatry;

(2) Practice of podiatry means the diagnosis or medical, physical, or surgical treatment of the ailments of the human foot, ankle, and related governing structures except (a) the amputation of the forefoot, (b) the general medical treatment of any systemic disease causing manifestations in the foot, and (c) the administration of anesthetics other than local; and

(3) Podiatrist means a physician of the foot, ankle, and related governing structures.

Source: Laws 1927, c. 167, § 72, p. 473; C.S.1929, § 71-1001; R.S.1943, § 71-173; Laws 1947, c. 228, § 1, p. 723; Laws 1961, c. 337, § 9, p. 1055; Laws 1974, LB 778, § 1; Laws 1976, LB 25, § 1; Laws 1983, LB 541, § 1; Laws 2001, LB 25, § 2. Effective date September 1, 2001.

**71-174. Podiatry; practice; persons excepted.** Section 71-173 shall not be construed to include (1) licensed physicians and surgeons or licensed osteopathic physicians, (2) physicians and surgeons of the United States Army, Navy, or Public Health Service when acting in the line of duty in this state, (3) students who have not graduated from a school of podiatry and are enrolled in an approved and accredited school of podiatry when the services performed are a part of the course of study and are under the direct supervision of a licensed podiatrist, or (4) graduates of a school of podiatry currently enrolled in a postgraduate residency program approved by the Council on Podiatric Medical Education of the American Podiatric Medical Association.

Source: Laws 1927, c. 167, §73, p. 473; C.S. 1929, §71-1002; R.S. 1943, §71-174; Laws 1989, LB 342, §13; Laws 1990, LB 1064, §10; Laws 1995, LB 173, §1. Effective date September 9, 1995.

**71-174.01. Podiatry; license; renewal; continuing competency requirements.** Each Nebraska-licensed podiatrist in active practice within the State of Nebraska shall, on or before April 1 of each even-numbered year, complete continuing competency activities as required by the Board of Podiatry pursuant to section 71-161.09 as a prerequisite for the licensee's next subsequent license renewal.

Source: Laws 1973, LB 52, § 2; Laws 1985, LB 250, § 6; Laws 1986, LB 926, § 39; Laws 1997, LB 307, § 122; Laws 1999, LB 828, § 60; Laws 2002, LB 1021, § 14. Operative date January 1, 2003.

**71-174.02. Podiatry; surgery; restrictions.** A podiatrist shall not perform surgery on the ankle other than in a licensed hospital or ambulatory surgical center, and a podiatrist who performs surgery on the ankle in a licensed hospital or ambulatory surgical center shall have successfully completed an advanced postdoctoral surgical residency program of at least one year's duration which is recognized as suitable for that purpose by the Board of Podiatry.

No podiatrist initially licensed in this state on or after September 1, 2001, shall perform surgery on the ankle unless such person has successfully completed an advanced postdoctoral surgical residency program of at least two years' duration which is recognized as suitable for that purpose by the Board of Podiatry.

Source: Laws 2001, LB 25, § 3. Effective date September 1, 2001.

**71-175. Podiatry; license; qualifications.** Every applicant for an initial license to practice podiatry shall (1) present proof of graduation from a school of chiropody or podiatry approved by the department on recommendation of the Board of Podiatry,

(2) present proof of completion of a minimum one-year postgraduate residency program approved by the Council on Podiatric Medical Education of the American Podiatric Medical Association, and (3) pass a written examination which consists of (a) parts I and II of the examination given by the National Board of Podiatric Medical Examiners and (b) the written examination prescribed by the Board of Podiatry. Every applicant for a license to practice podiatry shall be required to pay the required fee.

Source: Laws 1927, c. 167, § 74, p. 473; C.S.1929, § 71-1003; R.S.1943, § 71-175; Laws 1961, c. 337, § 10, p. 1055; Laws 1967, c. 438, § 5, p. 1351; Laws 1988, LB 1100, § 28; Laws 1990, LB 1064, § 11; Laws 1995, LB 173, § 2; Laws 1999, LB 828, § 61; Laws 2003, LB 242, § 33. Operative date July 1, 2004.

**71-175.01. Board of Podiatry; reciprocal license conditions.** The Board of Podiatry may in its discretion authorize the issuance of a license as podiatrist, without examination, to a person who is duly licensed by examination in another state, a territory, or the District of Columbia, in which, under like conditions, reciprocal licensing as a podiatrist, without examination, is granted to a podiatrist duly licensed by examination in this state. The applicant shall produce evidence satisfactory to the board that he or she meets the requirements of section 71-139.

Source: Laws 1967, c. 438, § 3, p. 1349; Laws 1974, LB 811, § 9; Laws 1999, LB 828, § 62; Laws 2002, LB 1021, § 15. Operative date January 1, 2003.

**71-176. Schools of podiatry; accredited; requirements.** No school of podiatry shall be approved and accredited unless said school is accredited by the Council on Podiatric Medical Education of the American Podiatric Medical Association.

Source: Laws 1927, c. 167, §75, p. 474; C.S. 1929, §71-1004; R.S. 1943, §71-176; Laws 1947, c. 228, §2, p. 724; Laws 1961, c. 337, §11, p. 1056; Laws 1967, c. 438, §6, p. 1352; Laws 1973, LB 52, §1; Laws 1995, LB 173, §3. Effective date September 9, 1995.

**71-176.01. Employee of licensed podiatrist; radiography practices; requirements.** (1) On and after January 1, 1996, a person employed exclusively in the office or clinic of a licensed podiatrist shall not perform any of the functions described in subsection (2) of section 71-3515.01 as a part of such employment unless the person is (a) licensed as a limited radiographer under the Radiation Control Act or (b) certified as provided in this section.

(2) The Board of Podiatry may certify a person to perform medical radiography on the anatomical regions of the ankle and foot if such person (a) has completed a fifteen-hour course of instruction, approved by the board, on radiation hygiene and podiatric radiological practices, including radiation health and safety, lower extremity anatomy, physics, concepts, physiology, techniques, positioning, equipment maintenance, and minimization of radiation exposure, and (b) passed a competency examination approved by the board.

Source: Laws 1995, LB 406, § 39; Laws 1999, LB 828, § 63; Laws 2003, LB 245, § 12. Operative date January 1, 2004.

**71-176.02. Repealed.** Laws 1972, LB 1044, §1.

**71-176.03. Board of Podiatry; report complaints; Attorney General; duties.** The Board of Podiatry shall provide the Attorney General with copies of all complaints it receives which allege or may involve possible statutory violations by the licensee. The Attorney General shall determine the appropriate legal action, if any, to take against the licensee.

Source: Laws 1982, LB 450, § 6; Laws 1999, LB 828, § 64. Effective date August 28, 1999.